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|--|---|---|-------------------------------|--|
| FORM PTO-1390<br>(REV 1-98)  |   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |                               | ATTORNEY'S DOCKET NUMBER<br>89165.0025   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |   |   |                               | U.S. APPLICATION NUMBER<br>(if known, see 37 C.F.R. 1.5)<br><b>10/551702</b><br>Not assigned |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2003/004275   | INTERNATIONAL FILING DATE<br>03 April 2003 (04/03/03) |   | PRIORITY DATE CLAIMED<br>None |  |
| TITLE OF INVENTION<br>Phase Change Memory Device   |   |   |                               |  |
| APPLICANT(S) FOR DO/EO/US<br>Haruki TODA   |   |   |                               |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |                               |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith.</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |                               |  |
| <b>Items 11. to 16. below concern document(s) or information included:</b>   |   |   |                               |  |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.             <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ul> </li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input type="checkbox"/> Other items or information:</li> </ol>  |   |   |                               |  |

|   |   |   |              |            |        |
|---|---|---|--------------|------------|--------|
| U.S. APPLICATION NO.<br>(if known, see 37 C.F.R. 1.5)<br><br><b>10/551702</b>   | INTERNATIONAL<br>APPLICATION NUMBER<br><br>PCT/JP2003/04275 | ATTORNEY'S<br>DOCKET NUMBER<br><br>89165.0025 |              |            |        |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:   |   | <b>CALCULATIONS PTO USE ONLY</b>              |              |            |        |
| <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>  |   |   |              |            |        |
| Basic National Fee ..... \$300  |   |   |              |            |        |
| National Stage Search Fee ..... \$400   |   |   |              |            |        |
| National Stage Examination Fee ..... \$200  |   |   |              |            |        |
| <b>TOTAL FEE AMOUNT =</b>   |   | <b>\$ 900.00</b>                              |              |            |        |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).  |   | \$ 0  |              |            |        |
| CLAIMS  | NUMBER FILED  | NUMBER ALLOWED                                | NUMBER EXTRA | RATE       |        |
| Total claims  | 23  | 20  | 3            | X \$50.00  | 150.00 |
| Independent claims  | 1   | 3   | 0            | X \$200.00 | 0      |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |   |   |              | X \$360.00 | 0      |
| SIZE FEE 64 (TOTAL PAGES OF SPEC AND DRAWINGS TOGETHER)   |   | \$250 for each additional 50 sheets           |              | X \$250.00 | 0      |
|   |   |   |              |            |        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   | <b>1050.00</b>                                |              |            |        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.   |   |   |              |            |        |
|   |   | <b>SUBTOTAL =</b>                             |              | 1050.00    |        |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).   |   | + <input type="checkbox"/>                    |              | \$ 0       |        |
|   |   | <b>TOTAL NATIONAL FEE =</b>                   |              | 1050.00    |        |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +  |   |   |              | \$ 40      |        |
|   |   | <b>TOTAL FEES ENCLOSED =</b>                  |              | 1090.00    |        |
| \$  |   | <b>Amt. Refunded</b>                          |              | \$         |        |
|   |   | <b>Amt. charged</b>                           |              |            |        |
| <p>a. <input checked="" type="checkbox"/> Checks in the amounts of <u>\$1050.00</u> and <u>\$40.00</u> to cover the above fees are enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 50-1314 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1314. A duplicate copy of this sheet is enclosed.</p> |   |   |              |            |        |
| <p><b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>   |   |   |              |            |        |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p><input checked="" type="checkbox"/> Customer Number <b>000026021</b> →</p> <p>HOGAN &amp; HARTSON L.L.P.<br/>500 South Grand Avenue, Suite 1900<br/>Los Angeles, California 90071<br/>Phone: 213-337-6700<br/>Fax: 213-337-6701</p>   |   |   |              |            |        |
| <p>SIGNATURE<br/>Lawrence J. McClure<br/>REG. NO. 44,228<br/>Express Mail Label No. EV 667 737 553 US<br/>Date: September 30, 2005</p>  |   |   |              |            |        |

Transmittal Letter to the United States Designated Office (DO/US)—Entry Into National Stage under 35 U.S.C. 371—PTO 1390 [13-7]

10/551702  
JC09 Rec'd PCT/PTO 30 SEP 2005, PATENT  
Attorney Docket No: 89165.0025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Haruki TODA

Serial No: Not assigned

Filed: September 30, 2005

For: Phase Change Memory Device

Art Unit: Not assigned

Examiner: Not assigned

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 667 737 553 US

Date of Deposit: September 30, 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- two copies of a letter of transmittal
- check in amount of \$ 1050.00 as filing fee, search fee and examination fee
- check in amount of \$ 40.00 as assignment recordation fee
- patent application ( 45 page(s) of specification; 23 claim(s); 1 page(s) of abstract
- 18 sheet(s) of informal drawings
- executed Declaration and Power of Attorney
- assignment of the invention to KABUSHIKI KAISHA TOSHIBA
- Information Disclosure Statement with 4 references
- return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: September 30, 2005

Joanna Alonso

Name of person mailing papers

  
Signature

Hogan & Hartson, LLP  
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